

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
Beckley Division**

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UNITED STATES OF AMERICA)
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Plaintiff,)
)
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v.) **Criminal No. 5:14-CR-00244**
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)
)
DONALD L. BLANKENSHIP)
)
)
Defendant.)

**MOTION FOR EXTENSION OF TIME TO SUBMIT A MEMORANDUM
IN SUPPORT OF MOTION TO VACATE PURSUANT TO 28 U.S.C. § 2255**

Donald L. Blankenship, by and through counsel, respectfully moves this Court for an extension of time to file a memorandum in support of his motion to vacate, set aside, and correct his sentence and conviction as contrary to the laws and Constitution of the United States pursuant to 28 U.S.C. § 2255 (“Section 2255 Motion”).

As discussed in the Section 2255 Motion, Mr. Blankenship understands that the Department of Justice’s Office of Professional Responsibility (“OPR”) is conducting an investigation into the conduct of the prosecutors in Mr. Blankenship’s case. Mr. Blankenship expects that OPR will issue its report in the near future. Because the findings of the OPR report are likely to add material information to the subject matter of the Section 2255 Motion, the interests of justice will be best served if Mr. Blankenship has the opportunity to address that information in his briefing. In addition, Mr. Blankenship learned of relevant new materials as recently as April 6, 2018, and it is likely that more may come to light in the coming weeks.

Therefore, Mr. Blankenship respectfully requests that the Court to extend the time to file a memorandum in support until an appropriate date after the OPR report has been issued.

Dated: April 17, 2018

Respectfully submitted,

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CERTIFICATE OF SERVICE

I, W. Henry Jernigan, do hereby certify that a foregoing **Motion for Extension of Time to Submit a Memorandum in Support of Motion to Vacate Pursuant to 28 U.S.C. § 2255** was served through the Court's electronic filing system on this the 17th day of April, 2018 upon the following counsel of record:

Michael B. Stuart, Esquire
U.S. Attorney for the Southern District of West Virginia
Robert C. Byrd U.S. Courthouse
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/s/ W. Henry Jernigan, Jr.
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